# CLASSIFICATION OFFICE DECISION

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| **Title of publication:** | 043 (2).jpg |
| **Other known title(s):** | Not stated |
| **OFLC ref:** | 1600783.011 |
| **Medium:** | Computer Image File |
| **Publisher:** | Not stated |
| **Country of origin:** | Not stated |
| **Language:** | Not applicable |
| **Applicant:** | Secretary for Internal Affairs |
| **Classification:** | Objectionable. |
| **Descriptive note:** | None |
| **Display conditions:** | None |
| **Date of entry in Register:** | 20 October 2016 |
| **Date of direction to issue a label:** | No direction to issue a label has been issued |
| **Date of notice of decision:** | 19 October 2016 |

**Summary of reasons for decision:**

The computer image file tends to promote and support the exploitation of children for sexual purposes, and is deemed to be objectionable under s3(2) of the Films, Videos, and Publications Classification Act 1993 (FVPC Act). The image depicts naked boys in a sexually exploitative manner. It focuses on the sexualised nudity of the boys, and is posed and constructed in a way to encourage the arousal of viewers with a prurient interest in children. The classification of the publication interferes with the right to freedom of expression set out in the New Zealand Bill of Rights Act 1990. However, this is an outcome that is consistent with Parliament's intention that publications falling under s3(2) of the FVPC Act are deemed to be objectionable. The classification reflects the concern of a free and democratic society to protect its young and vulnerable members from sexual exploitation.